

## REMARKS

In the April 4, 2008 Office Action, the Examiner noted that claims 1-13 were pending in the Application. Claims 1, 6, 12 and 13 have been amended herein. Claim 11 has been cancelled herein without prejudice or disclaimer. Thus, claims 1-10, 12 and 13 remain pending for consideration, which is respectfully requested. Support for the amendments, can be found, for example, in the Specification as filed on page 13, lines 26-36. No new matter has been added.

### Rejection under 35 U.S.C. 112

On pages 4 through 8, the Office Action rejected claims 2, 7 and 11-13 under the first and second paragraphs of 35 U.S.C. 112. These rejections are respectfully traversed.

In the second paragraph of page 2, in response to Applicants' previous arguments, the Office Action stated that according to Figure 4 of the Specification, the input to the MPEG encoder 10 is in ITU-R656 format, and not, in MPEG formation. This assertion is respectfully traversed.

The Specification, as filed, page 10, lines 23-30 (paragraph 68 as published), for example, states:

The input video signal to the MPEG2 encoder 10 is written to the SDRAM 12 through the video control unit 5. The SDRAM 12 may be provided outside the MPEG2 encoder 10 as shown in FIG. 5. Alternatively, the SDRAM 12 may be provided within the MPEG2 encoder 10. The video signal is read out from the SDRAM 12, and it is delivered to the video encoder 6 through the video control unit 5. In the video encoder 6, the received video signal is encoded in the MPEG2 video MP@ML format.

Further, Applicants submit that as shown in the embodiment of Figure 5, for example, a video signal in ITU-R656 format is inputted to the video control unit 6 of the MPEG encoder 10, while the video signal in MPEG format is read from the SDRAM 12 and inputted to the video encoder 6 through the video control unit 5. Thus, Applicants submit that the input to the MPEG encoder includes data in the MPEG format.

Further, with respect to the rejection of claims 2 and 7, the Office Action stated that that the second set of frames are not predictive frames. The Specification, as filed, on page 11, lines 31-35 (paragraph 77 as published), for example, states:

In the frame skipping process of FIG. 1, the MPEG2 encoder 10 performs the frame skipping process so that the first picture A (I picture) and the fourth picture B (P picture) are left while the second and third pictures and the fifth and sixth pictures are discarded. The encoded data of the fourth picture B inherently

cannot be decoded with no reference to the third picture preceding the fourth picture B. All the preceding pictures (the first through third pictures) are encoded from the same picture A. Hence, the prediction coding of the fourth picture B (P picture) using the first picture A (I picture) as the reference frame is possible.

As shown above, the MPEG encoder 10, for example, performs the frame skipping process so that the first picture A (I picture) and the fourth picture B (P picture) are left while the second and third pictures and the fifth and sixth pictures are discarded. Accordingly, Applicants submit, that Figure 1 in view of the above recited portion of the Specification, support the feature that a first set of frames are intra-coded pictures or predictive-coded pictures and the second set of frames are predictive-coded pictures.

With respect to the rejections of claims 11-13, the Specification, as filed, on page 15, lines 8-14 (paragraph 99 as published), for example, states:

As shown in FIG. 6, when the encoding of the video encoder 6 is started, the CPU 18 reads out one frame of the input video sequence from the SDRAM 12. The CPU 18 determines whether the current video pack is the head-end video pack of the input video sequence based on the header information of the video pack included in the read frame (step S1).

As shown above, Applicants submit that the embodiment of Figure 6, for example, provides support that the CPU 18 of the MPEG encoder 10 reads the frames of the input video sequence from the SDRAM 12 and performs the frame skipping process using the read frames.

Applicants hope that the comments above clarify particular features of the rejected claims. Accordingly, Applicants respectfully request the rejection be withdrawn. Further, Applicants request that the Examiner contact the undersigned and the number below if further clarification is required.

#### **Rejection under 35 U.S.C. 102(b)**

On page 9 of the Office Action, claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sackstein et al. WO 98/45959. This rejection is respectfully traversed.

Claim 1, as amended, recites "the first set of frames and the second set of frames include a plurality of video packs each of which includes header information, and the header information is read to determine whether a currently read video pack is a head-end video pack" (last 4 lines). Applicants submit the Sackstein fails to describe such a feature.

Sackstein relates to compressing a sub-sampled MPEG video. Sackstein describes that all of the frames that are sampled (e.g. plurality of digitized samples) are encoded at a predetermined frame rate. As shown in Figure 1 of Sackstein, the frame set 50B includes, in addition to the frames of frame set 50A, P-frames (e.g. 52B, 56B, 60B, 64B etc.). In other

words, an IPPP format. Further, frame set 50B has an identical number of frames as in the original video signal 1. In other words, all the frames that are sampled are encoded at the predetermined frame rate. Therefore, Sackstein fails to contemplate or describe that the header information is read to determine whether a currently read video pack is a head-end video pack in the first or second set of frames.

Accordingly, Applicants submit that Sackstein fails to disclose "the first set of frames and the second set of frames include a plurality of video packs each of which includes header information, and the header information is read to determine whether a currently read video pack is a head-end video pack in the first set of frames or the second set of frames" as recited by independent claims 1 and 6. Therefore, claims 1 and 6 patentably distinguish over the cited art.

Independent claim 13 recites "the first frame includes header information to determine whether the corresponding plurality of pictures is a head-end set of pictures," and therefore patentably distinguishes over the cited art.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for the reasons discussed above in addition to the additional features recited therein.

In view of the above, Applicants respectfully request the rejection be withdrawn.

#### **Rejection under 35 U.S.C. 103(a)**

On page 15 of the Office Action, claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sackstein in view of Examiner's Official Notice. This rejection is respectfully traversed.

Applicants submit that claim 12 inherits the patentable recitations of its base claims, and therefore, patentably distinguishes over the cited art for the reasons discussed above.

Moreover, Applicants respectfully traverse the Office Action's taking Official Notice. The Office Action takes Official Notice and states that the feature of "head-end count number is incremented by 1 each time it is determined that a video pack is a head-end video pack, and a frame is left in the input video sequence if a remainder from dividing the head-end count number by the predetermined interval is 0" is obvious. Applicants submit that this feature is not of notorious character or capable of instant and unquestionable demonstration as being well-known. No evidence is provided to support the Office Action's assertion, and thus, it appears that the rejection, at least in part, is based on personal knowledge. Thus, Applicants call upon

the Examiner to support such an assertion with an affidavit, provide evidence, or withdraw the rejection.

**Conclusion**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

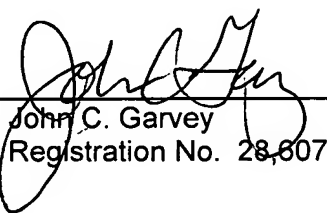
Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

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By: \_\_\_\_\_

  
John C. Garvey  
Registration No. 28,607

1201 New York Avenue, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501